

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 1-9 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,282,652 to Ballas, Sr. (hereinafter "Ballas"). Claim 1 has been amended and claims 2-4 have been cancelled. For the following reasons, the rejection is now moot.

Regarding amended claim 1, Ballas does not teach "a holder for attachment to a tube of the portable tool, the holder comprising an axle; and an arm attaching the lower part to the axle," as required. In Ballas the jaw members (36, 37) are attached directly to the support tube (12) of the tool, which the Examiner has cited as the required axle. As amended, claim 1 requires that the axle be a separate part provided in the holder, and that the holder is attached to the tool. Thus, Ballas does not include a holder having an axle, as in amended claim 1. Since every limitation of the claim is not taught by the reference, amended claim 1 and its dependent claims 5-9 are patentable over Ballas.

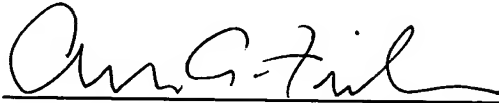
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No. 10/074,985
Amdt. Dated August 28, 2003
Reply to Office action of May 30, 2003

If there are any additional fees resulting from this communication, please charge same to our
Deposit Account No. 16-0820, our Order No.34354.

Respectfully submitted,

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